2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Working paper submitted by Palestine to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Implementation of the 1995 Resolution on the Middle East of the 1995 Review and Extension Conference of the Parties to the Non-Proliferation Treaty and the Final Document of the 2000 Review Conference of the Parties to the Treaty

1. Palestine welcomes the decision of the Preparatory Committee at its third session to include agenda item 16, entitled "Review of the operation of the Treaty, as provided for in its article VIII (3), taking into account the decisions and the resolution adopted by the 1995 NPT Review and Extension Conference and the Final Document of the 2000 Review Conference".

2. Palestine endorses the working papers presented by the Arab Group and the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

3. The continued existence of nuclear weapons and their proliferation represents the most serious threat to humanity's survival, especially when proliferation occurs in a region mired in conflict because of a belligerent occupation, like the Middle East. Hence, it is imperative that the international community ensure the earliest establishment of a nuclear-weapon-free zone in the Middle East.

4. There are several international resolutions and papers that aim to advance that goal, which should be translated into effective measures that guarantee achieving this most important goal. Since 1974, the General Assembly has adopted resolutions annually that call for the establishment of a nuclear-weapon-free zone in the Middle East. Since 1979, the General Assembly has also annually adopted resolutions addressing the risk of nuclear proliferation in the Middle East. Security Council resolution 487 (1981) and paragraph 14 of Security Council resolution 687 (1991) also call for the establishment of a nuclear-weapon-free zone in the Middle East.

5. In 1995, the Review and Extension Conference of the Parties to the Non-Proliferation Treaty adopted a resolution on the Middle East. In paragraph 4 of the 1995 Resolution on the Middle East, States called upon "all States in the Middle

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East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their facilities under full-scope International Atomic Energy Agency safeguards". On the basis of that Conference, the Non-Proliferation Treaty was indefinitely extended without a vote that year. The same call was renewed in the Final Document (Part I) of the 2000 Review Conference of the Parties to the Treaty, which also recognized that the 1995 Resolution would remain valid until its goals and objectives were achieved. Palestine maintains that the 2010 Review Conference of the Parties to the Treaty should reiterate that the 1995 Resolution on the Middle East is the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons was indefinitely extended in 1995 and that it remains applicable until its goals and objectives are achieved.

6. Regrettably, after 15 years, the objectives and priorities of these Conferences remain unrealized. Israel remains the only State in the Middle East that has not acceded to the Treaty on the Non-Proliferation of Nuclear Weapons, nor placed its nuclear facilities under the full-scope International Atomic Energy Agency (IAEA) safeguards. In fact, Israel has yet to declare its intention to do so and to renounce possession of nuclear weapons. This represents the main barrier towards the realization of the goal of universal adherence to the Treaty and the establishment of a nuclear-weapon-free zone in the Middle East. Other major obstacles are the double standards adopted by a number of countries in dealing with regional nuclear issues. Such policies and actions have undermined the credibility and effectiveness of the Treaty, particularly in relation to providing security to the Member States in the Middle East. They have also weakened international efforts undertaken to date to achieve disarmament, nuclear non-proliferation, and the uses of nuclear energy for peaceful purposes.

7. This is a cause for grave concern to all States in our region, as it constitutes a serious threat to their security. But it is particularly distressing to Palestine and its people, especially in view of Israel's behaviour as a belligerent occupying Power, consistently proven to act with utter disdain towards international law, while being repeatedly provided with immunity from international accountability for its repeated infringements upon other States' sovereignty and territory. Equally alarming, there are several reports of leakages from the Israeli Dimona nuclear facilities, an increase in cancer cases in areas surrounding Dimona and among the workers and the risk of earthquakes or radiation leakage from the Dimona reactors, which are well past their functional life. Moreover, Palestinian civilians who live within the range of contamination are not afforded any protection from such threats.

8. In this regard, we believe it is vital to push for the implementation of the package deal on the indefinite extension of the Treaty of 1995 NPT Review and Extension Conference, in particular in connection with the Resolution on the Middle East. However, ignoring the implementation of the resolution could lead to a nuclear arms race in the region, a prospect too devastating to ponder. The 13 practical steps towards nuclear disarmament, adopted by the 2000 Review Conference, must also be respected in order to maintain the credibility of the Treaty.

9. To maintain the credibility of the Treaty and to achieve its universality, we call on the 2010 Review Conference to adopt immediate practical steps to implement the 1995 Resolution and the 2000 Final Document regarding the Middle East. Taking a proactive approach would necessitate the utilization of all measures available to State parties to bring about the immediate implementation of the resolution and

documents in question, including taking specific practical actions by State parties in the following review cycle in case of non-compliance.

10. Realizing these important goals necessitates political will. To start, we call for the allocation of specific time at the 2010 Review Conference to review the implementation of the Resolution on the Middle East, adopted by the 1995 Review and Extension Conference, and the Final Document of the 2000 Review Conference. In addition, we believe the issue in question merits the establishment of a subsidiary body to Main Committee II of the 2010 Review Conference to consider and recommend proposals on the implementation of the resolution in question.

11. Follow-up is also essential. In this regard, we propose the establishment of a Standing Committee, to follow up on the implementation of the recommendations concerning the Middle East. It is imperative that the efforts to achieve this goal be accompanied by legal efforts, with the goal of reaching an international legally binding instrument on security assurances to ensure the active protection of non-nuclear-weapon States until the complete elimination of this type of weapon.

12. Additionally, we call upon State parties to report to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on the steps they have taken to promote the achievement of a zone free of nuclear weapons in the Middle East and their views on realizing the goals and objectives agreed on in the 1995 and 2000 Conferences.

13. This concerted effort and practical steps are essential to the achievement of peace and security in the Middle East. Anything less would undermine the foundations of the Treaty and risks rendering the Treaty invalid, plunging the region into the abyss of mass destruction possibilities.

14. Peace, security and stability in our region cannot be achieved by developing, possessing and stockpiling nuclear weapons. Neither can they be achieved through a glaring imbalance in military capabilities, particularly through the possession of nuclear weapons, especially when this possession is done under the false pretext of alleged threats. This pivotal goal must be intrinsically intertwined with ongoing efforts to reach peace through ending the belligerent occupation that Israel has maintained for over four decades, which has consistently posed the gravest threat to security and peace in the region and has repeatedly violated the rights of the peoples living under it. Equally, getting rid of this destructive weapons programme should not be tied to any preconditions; compliance should not be optional. Rather, it is a regional and global imperative that should not allow for exceptions.